

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. 05-cr-1849 JH

MANUEL GIL,

Defendant.

UNOPPOSED MOTION CONTINUE SENTENCING

COMES NOW the Defendant, MANUEL VELASQUEZ-GIL, by and through his attorneys, Timothy M. Padilla & Associates, P.C., by Timothy M. Padilla and respectfully motions this Court for an Order continuing the Sentencing in this matter currently set for February 12, 2009. As grounds therefore, counsel states:

1. The Defendant is not in custody, and has been in complete compliance with Pre-Trial Services Probation;
2. That Counsel for the Defendant has contacted to Scott Burton, the new US probation officer, assigned to generate the Pre-Sentence Report for the Defendant, and was informed that the report has not been completed at this time;
3. That Counsel for the Defendant, upon receipt of the Pre-Sentence Report, will need additional time in which to review the report and respond, if necessary;
4. That the Defendant respectfully requests that the Court postpone his sentencing until the numerous other defendants, who pled in this matter, have been

sentenced;

5. That Assistant U.S. Attorney, James Braun, has been contacted, and does not oppose the relief requested in this motion; and
6. That a form of Order will be electronically delivered to the Honorable Judith C. Herrera, via e-mail, jchproposedtext@nmcourt.fed.us for approval.

WHEREFORE Counsel for the Defendant prays that this Court grant this Unopposed Motion to Continue the Sentencing currently scheduled for February 12, 2009, and for any such other relief as the Court deems just and proper.

Respectfully submitted:

/s/ Timothy M. Padilla
Timothy M. Padilla
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I HEREBY CERTIFY that a true and correct copy of the foregoing pleading was filed and delivered electronically through the CM/ECF system to all parties entitled to notice, this 30th day of January, 2009.

/s/ Timothy M. Padilla
Timothy M. Padilla